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67-0309

JAN 30 1957

MEMORANDUM FOR: Comptroller

SUBJECT : Paragraph 7 of Proposed II and [REDACTED] Advances

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REFERENCE : Memo dtd 22 Jan 57 to ADG/B fr Dep Compt, same subject

1. The referenced memorandum was directed to this office for resolution of a difference of opinion expressed by the Office of the General Counsel relative to the inclusion in the Regulation on Advances of a paragraph entitled "Deposits Made from Advanced Funds in Lieu of Payment of Import Duties." All other Components of the Agency have concurred in this Regulation, including paragraph 7, with some suggested substantive modifications.

2. I am inclined to agree with the position of the Office of the General Counsel, in that the proposed paragraph 7 sets up substantive provisions on Agency responsibility for customs deposits, and as such is out of place in a Regulation governing advances. In fact, the Regulation does not provide that such deposits are advances but are expenditures for which follow-up control is maintained by memorandum account. Although the deposits may be made from funds advanced, this does not make the provisions of the paragraph applicable to a Regulation on advances, any more than other Regulations authorizing an expenditure of funds which may be accomplished with funds advanced.

3. At most, it and [REDACTED] might briefly provide that advances may be made for customs expenses, if levied, on personal and quasi personal property, including automobiles, when payable by the Agency in accordance with applicable Travel Regulations (insert specific Regulation when determined).

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4. I am very much in agreement with the substantive provisions of the subject paragraph. In view of the new principles expounded therein and the urgency for its publication as Agency policy, I would like it published expeditiously in an appropriate section of the Travel Regulations.

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5. It is requested that [redacted] be redrafted, deleting the provisions of the detailed policies and procedures for customs deposit, coordinated with the Offices of Logistics, General Counsel and Deputy Director (Plans) and resubmitted to this office for publication.

(signed) H. Gates Lloyd

H. GATES LLOYD
Assistant Deputy Director
(Support)

SA-DD/S WEB snrp (29 Jan 57)

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Executive Officer, DD/S
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Director of Logistics
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- DD/S chrono (ref. memo not sent to EO-DD/P; D/L; GC)
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